

Docket No.: 245084US0RE

COMMISSIONER FOR PATENTS ALEXANDRIA, VIRGINIA 22313

RE: Application Serial No.: 10/722,678

Applicants: Hirotoshi ISHIDA, et al. Filing Date: November 28, 2003
For: SWEETENER COMPOSITION

Group Art Unit: 1761 Examiner: Tran Lien, Thuy

SIR:

Attached hereto for filing are the following papers:

Letter

Information Disclosure Statement Under 37 CFR 1.97 PTO-1449

Cited References (217)

Our credit card payment form in the amount of \$180.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT, P.C.

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DOCKET NO: 245084US0RE

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

OCT 0 6 2006

IN RE APPLICATION OF

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HIROTOSHI ISHIDA, ET AL.

: EXAMINER: TRAN LIEN, THUY

SERIAL NO: 10/722,678

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FILED: NOVEMBER 28, 2003

: GROUP ART UNIT: 1761

FOR: SWEETENER COMPOSITION

LETTER

COMMISSIONER FOR PATENTS ALEXANDRIA, VIRGINIA 22313

SIR:

Applicants herewith submit an Information Disclosure Statement. The information disclosed is associated with Interference No. 105, 246, which involves Application No. 09/355,980, which is related to the present application. The disclosed information is believed to be material to the patentability of the present application, and includes the Judgment Under 37 CFR §41.127, the Decision on the Motions Under §41.125, the pleadings, the publications and prior art, and the deposition and declaration testimony from the interference.

Applicants respectfully request due consideration of the attached information.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT, P.C. Norman F. Oblon

Customer Number 22850

Tel: (703) 413-3000 Fax: (703) 413 -2220 (OSMMN 06/04) John D. Dellinger Attorney of Record Registration No. 50,436 Docket No.

245084US0RE

IN THE UNITED STATES

IN RE APPLICATION OF:

SERIAL NO: 10/722,678 Hirotoshi ISHIDA, et al.

GAU:

1761

FILED:

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TRADEMARK OFFICE

EXAMINER: Tran Lien, Thuy

FOR:

SWEETENER COMPOSITION

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

COMMISSIONER FOR PATENTS ALEXANDRIA, VIRGINIA 22313

Applicant(s) wish to disclose the following information.

REFERENCES

- The applicant(s) wish to make of record the references listed on the attached form PTO-1449. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

RELATED CASES

- Attached is a list of applicant's pending application(s), published application(s) or issued patent(s) which may be related to the present application. In accordance with the waiver of 37 CFR 1.98 dated September 21, 2004, copies of the cited pending applications are not provided. Cited published and/or issued patents, if any, are listed on the attached PTO form 1449.
- ☐ A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

CERTIFICATION

- ☐ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

DEPOSIT ACCOUNT

Please charge any additional fees for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT, P.C. Norman F. Oblon

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	BA	5,474,791	12/12/1995	ZABLOCKI, ET AL.			10/20/1993
	вв	6,692,778	02/17/2004	YATKA, ET AL.			12/05/2000
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	GR	Ajinomoto Co., Inc. v. NutraSweet Co	ompany. Interference No. 105,246 (RES); Ajinom	oto's Misc. Motion No. 1, 09/24/2004.	
	GS	Ajinomoto Co., Inc. v. NutraSweet Co	ompany. Interference No. 105,246 (RES); Ajinom	oto's Misc. Motion No. 11, 01/03/2005	
	GT	Ajinomoto Co., Inc. v. NutraSweet Co	ompany. Interference No. 105,246 (RES); Ajinom	oto's Misc. Motion No. 2, 10/26/2004.	
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	GW	Ajinomoto Co., Inc. v. NutraSweet Company. Interference No. 105,246 (RES); Ajinomoto's Preliminary Motion No. 4, 11/24/2004.			
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LIST OF REF	FERENCES CITED BY APPLICANT	Hirotoshi ISH	HIDA, et al.
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н	Н	ompany. Interference No. 105,246 (RES); Ajin	
Н	Preliminary Motion No. 3, 03/23/2005		
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H		ompany. Interference No. 105,246 (RES); Ajin	nomoto's Reply No. 5, 03/30/2005.
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HW		ompany. Interference No. 105,246 (RES); Nutr	raSweet Preliminary Motion 4,
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IA	1	ompany. Interference No. 105,246 (RES); I	NutraSweet Provisional Preliminary Motion 8
IB		ompany. Interference No. 105,246 (RES); I	NutraSweet's Motion to Exclude or Suppress
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ID		ompany. Interference No. 105,246 (RES); I	NutraSweet Opposition No. 1, 10/12/2004.
IE		ompany. Interference No. 105,246 (RES); N	NutraSweet Opposition No. 2, 10/27/2004.
IF		ompany. Interference No. 105,246 (RES); N	NutraSweet Opposition No. 3, 02/24/2005.
IG		ompany. Interference No. 105,246 (RES); N	NutraSweet Opposition No. 4, 02/11/2005.
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11		Company. Interference No. 105,246 (RES); Ajinomoto's Notice Regarding Annotated				
10	Ajinomoto Co., Inc. v. NutraSweet Co Backup Counsel, 08/13/2004.	inomoto Co., Inc. v. NutraSweet Company. Interference No. 105,246 (RES); NutraSweet's Designation of Lead and ackup Counsel, 08/13/2004.				
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15		ompany. Interference No. 105,246 (RES); NutraSt	weet's Clean Copy of Claims,			
l.		ompany. Interference No. 105,246 (RES); NutraSt	weet's Notice of Real Party of Interest			
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IZ	Ajinomoto Co., Inc. v. NutraSweet Co Literature on Ajinomoto, 11/16/2004.	mpany. Interference No. 105,246 (RES); NutraSv	veet's Notice of Serving Additional			
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JG	Ajinomoto Co., Inc. v. NutraSweet Company. Interference No. 105,246 (RES); Errata for NutraSweet's Reply No. 5, 05/25/2005.				
JH	Ajinomoto Co., Inc. v. NutraSweet Company. Interference No. 105,246 (RES); NutraSweet's Reply No. 6, 04/13/2005.				
JI	Ajinomoto Co., Inc. v. NutraSweet Company. Interference No. 105,246 (RES); NutraSweet's Reply No. 7, 04/13/2005.				
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JT	Ajinomoto Co., Inc. v. NutraSweet Company. Interference No. 105,246 (RES); Ajinomoto's Opposition No. 5 to NutraSweet Preliminary Motion No. 5, 02/11/2005.				
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